

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

JUL - 1 2013

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY *Ruh* DEPUTY

RAMON SIMON,

Petitioner,

vs.

JUSTIN JONES, Director,

Respondent.

No. CIV-13-563-W

ORDER

On June 3, 2013, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the request of petitioner Ramon Simon, proceeding pro se, for leave to proceed in forma pauperis be denied. Magistrate Judge Purcell further recommended that Simon's Petition for Writ of Habeas Corpus ("Petition") filed pursuant to title 28, section 2254 of the United States Code be dismissed unless Simon paid the filing fee of \$5.00 in full to the Clerk of the Court.

Although Simon was advised of his right to object, see Doc. 5 at 2, he has not objected to the Report and Recommendation; rather, he has paid the filing fee in its entirety. See Doc. 6.

Upon review of the record, which shows that Simon has sufficient financial resources to pay the filing fee, see Doc. 2, the Court concurs with Magistrate Judge Purcell's suggested disposition of Simon's request to proceed without prepayment of the filing fee.

Accordingly, the Court

(1) ADOPTS the Report and Recommendation [Doc. 5] filed on June 3, 2013;

- (2) DENIES Simon's request to proceed in forma pauperis [Doc. 2]; and
- (3) RE-REFERS this matter to Magistrate Judge Purcell for further proceedings.

ENTERED this 1st day of July, 2013.



LEE R. WEST
UNITED STATES DISTRICT JUDGE